

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

FILED
IN CLERKS OFFICE

District of

2004 JUN 17 P 3:36

Regal Fabrics, Inc.

V.

Koba, Inc.

Shopko Stores, Inc. and

IBR Corporation

U.S. DISTRICT COURT
DISTRICT OF MASS.
SUMMONS IN A CIVIL ACTION

CASE NUMBER: 04-10961-RWZ

TO: (Name and address of Defendant)

Shopko Stores, Inc.
c/o CT Corporation
208 S. LaSalle St., Suite 814
Chicago, IL 60604

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Victor H. Polk, Esq.
Bingham McCutchen LLP
150 Federal Street
Boston, MA 02110

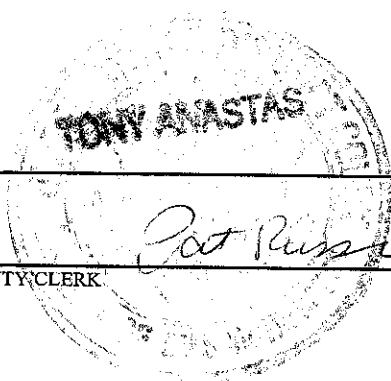
an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

6-104

(By) DEPUTY CLERK



Affidavit of Process Server

REGAL FABRICS, INC. vs KOBA INC. ETAL 04-10961 RWZ
 PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT CASE #

Being duly sworn, on my oath, I TRACY ELLIS
 declare that I am a citizen of the United States, over the age of eighteen and not a party to this action.

Service: I served SHOPKO STORES, INC.
 with the (documents) ☐ Subpoena with \$ _____ witness fee and mileage
☒ SUMMONS, LETTER, ATTACHMENTS TO CIVIL ACTION COVER SHEET, CIVIL COVER SHEET, CORPORATE DISCLOSURE OF REGAL FABRICS, INC., REPORT ON THE FINDING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT COMPLAINT WITH EXHIBITS A-D

by serving (NAME) DAWN SCHULTZ (PROCESS SPECIALIST)

at ☐ Home _____

☒ Business 208 S. LASALLE, CHICAGO, IL

☒ on (DATE) 6-3-04

at (TIME) 11:35A

Thereafter copies of the documents were mailed by prepaid, first class mail on (DATE) _____

from (CITY) _____ (STATE) _____

Manner of Service:

- ☐ By Personal Service.
☒ By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof,
 namely DAWN SCHULTZ (PROCESS SPECIALIST)
☐ By leaving a copy at the defendant's usual place of abode, with some person of the family or a person residing there, of the age of 13 years or upwards, and informing that person of the general nature of the papers,
 namely _____
☐ By posting copies in a conspicuous manner to the address of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

- ☐ Unknown at Address ☐ Evading ☐ Other: _____
☐ Address Does Not Exist ☐ Service Cancelled by Litigant
☐ Moved, Left no Forwarding ☐ Unable to Serve in a Timely Fashion

Service Attempts: Service was attempted on: () _____ () _____
 () _____ () _____ () _____
 DATE TIME DATE TIME DATE TIME

Description: ☐ Male ☒ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.
☒ Female ☐ Black Skin ☒ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.
☐ Yellow Skin ☐ Blond Hair ☒ 36-50 Yrs. ☒ 5'4"-5'8" ☒ 131-160 Lbs.
☐ Brown Skin ☐ Gray Hair ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.
☐ Glasses ☐ Red Skin ☐ Red Hair ☐ Mustache ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

OTHER IDENTIFYING FEATURES: _____

State of Illinois County of Cook

Subscribed and sworn to before me,
 a notary public, this 10 day of June, 2004

NOTARY PUBLIC

SERVED BY
 LASALLE PROCESS SERVERS

